

## THE CITY COUNCIL.

### City Officers Appointed at the Meeting.

**Harrison Withdraws and Herbert is Elected Mayor Pro Tem—Interesting Session.**

The city council met last night in regular session, the mayor, aldermen, secretary and nearly all the city officers being present when the roll was called.

#### PETITIONS AND RECOMMENDATIONS.

Assistant Secretary Jablonowski read the mayor's annual address to the council. He paid a high tribute to the board of health, who had without compensation done faithful and heroic work. He spoke in terms of praise of the police department. In regard to street improvements, he did not think there should be any contracts made beyond the amount of money on hand until the cases now in court for the collection of paving taxes have been decided by the higher courts.

A motion that the mayor's message be published prevailed.

An invitation from Chief A. M. Prescott to the mayor and city council to inspect the Waco fire department on San Jacinto day was accepted.

D. R. Byron, who resides three miles west of the city, asked for a remittance of impounding fines, but before the petition had been read Alderman Poage scented cattle, anticipated its purport, and moved its reference to the police committee, and his motion prevailed.

J. F. Winn wanted to remove a dwelling situated at the corner of Eighth and Franklin streets, in order to obtain sewer connection.

W. H. Ross submitted a proposition to fill a washout on Twelfth street, near the western limits of the city, for 15 cents per cubic yard. Referred to street committee and city engineer.

The Waters-Pierce Oil company asked permission to construct a switch across Jackson street, near First street. Referred to street committee.

The board of health asked for \$250 as remuneration for their labors during the scarlet fever epidemic.

Alderman Lacy moved that the petition be granted. It was understood from the first, that when the board did extraordinary or extra work, they should be compensated.

There was no second to the motion and the petition was referred to the finance committee with power to act. Several who voted for its reference to the finance committee stated they had no objections to appropriating the money, but it would be wiser for the finance committee to investigate the matter.

The following petition was read: To the honorable mayor and city council: We, the undersigned citizens of Waco, would respectfully protest against the performance now being carried on on Austin street in this townhouse formerly occupied by T. P. Sparks & Son. We would respectfully show that there are connected with said show, two small children, not more than 5 and 7 years old, respectively. It is a shame and disgrace to our humanity and boasted civilization that there is no law on our statute books controlling such things in this state. The children are made to labor, etc., every night as well as every day, and it must be torture to them. We ask that the matter be abated as a nuisance, or some ordinance be passed preventing the appearance of children of such tender years in the show business.

The petition was signed by 113 citizens.

Alderman Tibbs moved its reference to the mayor and city attorney. Alderman Poage was strongly in favor of condemning the itinerants as a nuisance.

The communication was referred to the mayor and city attorney.

The light company through Eugene Williams for Receiver Seley, asked that the council consider the action of the gas committee in recommend-

ing that \$154 or double the contract price be deducted from the March account. Judge Williams was present and addressed the council in behalf of the company. The matter was referred to the finance and gas committees.

#### REPORTS.

The annual report of the board of health was read to the council. Appended to the report of the board of health was the report of the secretary of the board of health, and the city physicians. The reports were received and filed.

The cemetery committee stated that they had received bids for the removal of the sexton's house in Oakwood cemetery, and recommended that the contract be awarded to Dwyer & Johnston, the lowest bidder. Adopted.

The street committee recommended that the petition to pave Jefferson street between Twelfth and Fourteenth be granted, with the proviso that the requisite number of citizens have signed same, to be ascertained by the city engineer. Adopted.

The fire committee, on the petition of T. R. Wilsford, to erect an iron or tin covered awning in the rear of the building, reported that the work had already been done, but not in accordance with the petition. A motion to receive and file was lost, and on motion of Alderman Lacy it was recommitted for further investigation.

In regard to procuring deeds from John Moore to Speight street, between Fourth and Fifth streets, the city attorney reported that the city had a deed to the property and the contents could be established, although the deed could not be found.

The mayor said he thought the deed was in the secretary's vault. He had seen it several months ago.

Alderman Lacy did not think the city attorney was clear enough in regard to the course to be pursued by the city, and he moved that the matter be re-committed. The motion prevailed.

The street committee reported progress on the improvement of South Ninth street.

The street committee recommended that the marshal or street commissioner file complaint against the Citizens' Railway company for not fixing their track on a level with the grade of the street at the corner of Franklin and Eighth streets. Adopted.

#### UNFINISHED BUSINESS.

Alderman Poage moved that the council proceed to ballot for the election of a mayor pro tem. Carried.

Alderman Harrison said: "I wish to withdraw my name as a candidate for mayor pro tem, and wish to thank the support that was accorded me."

Alderman Poage, who originally placed Alderman Harrison in nomination, moved that the nomination of Alderman Herbert be made unanimous. The motion prevailed and Alderman Herbert thanked the council, and his opponent for his action.

A motion that the proper authorities see that sidewalks are built on Elm street prevailed.

Alderman Lacy had been told that the flush tanks were out of order. He moved that the matter be referred to the water committee. Carried.

Alderman Harrison submitted a motion which provided that the water company be notified to lower their pipes on Ninth street so that the work of repairing the streets could be done unobstructed.

The following nominations were submitted by the mayor and confirmed by the council:

R. W. Jablonowski, assistant secretary.

Dr. H. C. Black, health physician.

John M. M. McGhee, street commissioner.

All the above were confirmed by a unanimous vote. The name of Buck Pippin was submitted for bridge watchman and was confirmed, four aldermen voting against it.

The rest of the nominations were confirmed unanimously.

C. A. Simmons, sexton of Oakwood cemetery.

A. Payne, sexton East Waco cemetery.

Policemen—A H Knott, R L Anderson, S S Hall, W C Clay, John P Hardwick, W T Curry, R A

Sammons, mounted; F A Tucker, M P Waddell, J F Copeland, E W Hawkins, J C Tubbs, C P Jones, U S Berry, J E Pettigrew, R T Riggs, John D Kendrick, J H Hopson, foot policemen. All the policemen are reappointed.

J H Spencer, city cartman.  
R N Palmer, public weigher.

Alderman Poage offered a resolution that the mayor be instructed to make a contract with Stephen Turner as city engineer for \$1,800 a year.

Alderman Harrison was of the opinion that the charter does not provide for the appointment of the office of city engineer by resolution. It was incumbent upon the mayor to appoint all officers of the city in the regular order, except the mayor pro tem, who is elected by the council.

Alderman Poage held that the office of city engineer had been abolished and a man who was competent should be hired, and it was the duty of the council to hire the engineer.

Alderman Lacy agreed with Alderman Harrison. He spoke highly of Captain Turner's competency.

Alderman Herbert said: "It is not a matter of competency or incompetency that is under consideration. It is the mode of the selection of city engineer."

Tibbs saw nothing in the charter forbidding the council from making a contract with any one to do the work formerly done by a regularly appointed officer. The position of city engineer was not an office. It did not exist. It was a matter of employing a man to do certain work for the city.

Harrison said he was as much in favor of letting Mr. Turner have the office as any other gentleman. It was a question of how the selection should be made. The charter made it the duty of the executive to appoint the officer.

When the question was called Harrison asked for a division. As he was as strongly in favor of Mr. Turner as any one else, he hoped the council would take a vote first as to the manner in which the selection should be made. The resolution of Alderman Poage would place him in the attitude of voting against Mr. Turner, whom he was not opposed to, but was in favor of him.

The vote was taken, and the question as to the adoption of the original resolution was put and prevailed unanimously.

Adjourned.

#### MAYOR'S MESSAGE.

**MAYOR'S OFFICE.**  
Waco, Tex., April 12, 1894.  
To the Honorable City Council of the City of Waco, Texas:

GENTLEMEN—In assuming the duties of mayor, to which I have been elected for the third term by the votes of our people, I am reminded of the responsibility imposed upon me. The mayor is the executive agent of the city council, empowered to carry into effect the enactments of that body regardless of his own personal opinions and views, except when his recommendations may be of influence, or his power of veto may check legislation not approved by him. I will continue in the future as in the past, if possible, to merit the good opinion of my fellow citizens, by close attention to, and a faithful performance of the duties intrusted to me. The first duty of the chief executive and your honorable body is to evenly and impartially govern all, to meet every interest and to avoid, if possible, class legislation. Our charter requires that the mayor shall present to the city council information relative to the affairs of the city and recommend for their consideration such measures as he may deem best for the interest of the people we represent. In consequence of these requirements I have the honor to present such conditions and recommendations as appear to be worthy of your attention.

The wonderful growth and prosperity of our city must be gratifying to all, and it affords me pleasure to be able to refer to the progress we have made toward the building up of our material interests in the past few years.

**FINANCE.**

The secretary's report of the finances marked Exhibit A, which is made a part of this message and to which I have the honor to call

your attention, gives a full and complete statement of all moneys received and disbursed during the last year.

I would respectfully recommend that the mayor be authorized to retire bonds with the large amount of sinking funds on hand, and that this be done with as little delay as possible.

#### STREETS.

The most important subject vitally affecting the prosperity and welfare of our city is streets.

Good streets do more to add to the population, attract capital and favorably advertise a city than all other things combined.

Our street improvements already made, together with valuable brick and wood bridges and storm water sewers, have been generally well and cheaply built from proceeds of bonds issued and sold. In the main no better improvements have been made for less money. The system of collecting a portion from abutting property owners is such a wise measure that it has been adopted in almost every city in the nation, and on the success of this system depends in a great degree the future life and prosperity of Waco.

Only a few citizens are engaged in the defense of the suits to defeat the payment of street taxes. The greatest number, in fact, almost all of the abutting property owners, are willing and anxious to comply with requirements of the law.

I cannot think that the small number of citizens seeking relief from the tax have fully considered the consequences. If the tax was recognized and paid into the treasury, it would bear lightly and justly on all the owners, and calculating the amount of work done up to the present time it would give to the city the additional sum of \$250,000 to expend in street improvements, which would result in the great enhancement of values, and to the advantage of rich and poor alike. I would advise that the present council do not make contracts to pave streets beyond the amount of funds provided for that purpose, until the higher courts decide this question.

#### FIRE DEPARTMENT.

This branch of the government, as you know, is voluntary and depends upon the assistance you may feel able and inclined to give it in the future.

For the past two years this department has given the city such efficient and valuable work that nothing that I could say would serve to convey that appreciation of it which should be felt by your honorable body and the citizens at large.

For the purpose of building two engine houses and supplying the fire department with apparatus needed, the outgoing council appropriated the sum of \$20,000 which, by the order of that body, was expended by issuing the notes of the city at six, twelve and eighteen months, the first of which notes have had to be paid out of the funds from the ad valorem taxes.

It was well understood by the outgoing finance committee and council that bonds would be issued to pay this debt.

It is hoped your honorable body will make the necessary provision for this indebtedness, and not let the credit of the city suffer on account of non payment of same as it falls due.

For further information on this subject I refer to inventory of fire department furnished me by the chief of the department amounting to \$68,297.33, marked Exhibit B.

#### HEALTH DEPARTMENT.

The sanitary condition of our city is good and will compare favorably with that of any other city in the country. Sixty thousand dollars have been expended in the past in building a system of sewerage which has proven to be very effective, and which is now in excellent condition. In addition to improvements made, we have on hand \$25,000 worth of bonds, the proceeds of which is devoted upon this council to expend in the further extension of the system. In addition to this a garbage furnace has been erected at a cost of \$6,500 for the destruction of such garbage as cannot be admitted into the sewer system.

This furnace is a valuable and indispensable addition to our sanitary

department. For further information on this subject I respectfully refer you to the report of the health officer and to the health board. This department of the government, voluntary, except the meager salary given the health officer has been very efficient. I cannot commend language to compliment it as it deserves.

Only the individual members of the board of health will ever know the amount of labor they have rendered without pay, their only reward being the consciousness of duty performed for the good of the citizens of Waco.

#### POLICE DEPARTMENT.

The good order which prevails in our city is sufficient evidence of the efficiency of the police force. The number of arrests during the year of my administration was 1466.

Number of convictions, 1,109.  
Number of cases appealed, 3.  
Amount of fines collected, \$5,760 85.

In addition the policemen of the city have made many arrests for crimes over which the recorder has no jurisdiction, and the criminals, arrested turned over to the higher courts.

#### CITY HOSPITAL.

You will observe by reference to the health physician's report that our city hospital is in good condition and has been the means of relieving the sufferings of great numbers of our citizens. A liberal appropriation for the maintenance of this institution for the ensuing year will be an investment which will be indorsed and appreciated by all our citizens and taxpayers.

In conclusion I desire to express my thanks to the members of the old council for the kindly consideration and official courtesies attended me during the past year. The utmost harmony has prevailed in our deliberations for the past two years. It is earnestly hoped that the proceedings of this body and their relations between its members may be characterized by the same good feeling in the future.

C. C. McCulloch,  
Mayor.

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DR. R. V. PIERCE:  
Dear Sir—Your advice to Mrs. Saylor was carefully followed, and five bottles of Dr. Pierce's Favorite Prescription, I am happy to say, has cured her of uterine congestion. She is feeling finely. I assure you I appreciate your kindness. With many thanks, I am, Yours to command,  
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